

REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are requested. Upon entry of this amendment, claim 2 is amended, and claims 21-23 are added, leaving claims 1-20 pending with claim 1 being independent. No new matter has been added.

Rejections Under 35 U.S.C. §112, second paragraph

Claim 2 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claim 2 has been amended to overcome this rejection.

Rejections Under 35 U.S.C. §103(a)

Claims 1, 2, 6, 7 and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Komori et al. (CN 1453481) in view of Asai et al. (U.S. 6,412,984).

Applicants respectfully traverse this rejection and submit that the claims as currently pending are allowable over the cited prior art. Specifically, independent claim 1 recites a fluid bearing device comprising a radial bearing portion supporting a shaft member radially in a non-contact fashion with an oil film formed in a radial bearing clearance between the inner peripheral surface of the bearing sleeve and the outer peripheral surface of the shaft member, wherein at least one of a second member and a housing has an adhesion portion and is formed of resin, and wherein the adhesion portion of the at least one of the second member and the housing formed of resin has a roughened surface having a surface roughness of 0.5 μmRa or more, and wherein the roughened surface is formed by injection molding.

The cited prior art fails to disclose or render obvious such a device. In particular, the Examiner recognizes that Komori fails to disclose that at least one of a second member and a housing has an adhesion portion and is formed of resin. For this element, the Examiner cites Asai as teaching a bearing sleeve formed of resin. However, Applicants submit that one of ordinary skill in the art would understand that the resin housing of Komori is formed by injection molding with the bearing sleeve as an insert piece. On the other hand, the resin sleeve of Asai is made of PPS (polyphenylene sulfide resin) which is a thermoplastic resin. (See column 14, lines 7-9 of

Asai). Thus, if, as suggested by the Examiner, the resin sleeve of Asai is set in the formation die and used as the insert piece, the molding process of Komori would melt the resin sleeve of Asai. Therefore, to combine the references, as suggested by the Examiner, such that the Asai resin sleeve could be used with Komori, Komori would need to be modified to extent such that Komori would have been rendered inoperative for its intended purpose. That is, Komori would need to be modified to produce a reduced temperature such that the Asai resin sleeve would not be melted, and such a modification would render Komori inoperative for its intended use. Therefore, one of ordinary skill in the art would not have combined the cited prior art such that the resin sleeve of Asai could be used in insert molding process of Komori.

Applicants submit that the cited prior art does not disclose nor render obvious each of the elements of independent claim 1. In particular, since one of ordinary skill in the art would not have combined the references, as suggested by the Examiner, the cited prior art fails to disclose or render obvious at least a second member or a housing having an adhesion portion and being formed of resin. Thus, Applicants submit that independent claim 1 and its dependent claims are allowable over the cited prior art.

Claims 3-5, 8-10 and 12-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Komori in view of Asai as applied to claim 1 above.

Applicants submit that since each of these claims is dependent from independent claim 1, each of these claims is allowable over the cited prior art.

Conclusion

In view of the foregoing amendments and remarks, all of the claims now pending in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Should the Examiner believe there are any remaining issues that must be resolved before this application can be allowed, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Kenji ITO
/Jeffrey J. Howell/
2010.04.16 09:55:15

By -04'00'
Jeffrey J. Howell
Registration No. 46,402
Attorney for Applicant

JJH/ekb
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
April 16, 2010